



Flathead Conservation District  
133 Interstate Lane, Kalispell, MT 59901  
www.flatheadcd.org 406-752-4220

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### **CALL TO ORDER & ATTENDANCE**

Chairman Ronald Buentemeier called the December 11, 2017, 310-Stream Permit meeting to order at 7:00 P.M. in the conference room.

### **Board members present:**

Ronald Buentemeier, Chairman; Pete Woll, Vice Chairman; Dean Sirucek, Secretary/Treasurer; John Ellis, Supervisor; Mark Siderius, Supervisor; Verdell Jackson, Supervisor; being a quorum of the Board.

**Board members absent:** Lori Curtis, Supervisor. Absence is excused.

Also in attendance were: Valerie Kurth, Cynthia Ingelfinger and Ginger Kauffman, FCD staff; Leo Rosenthal and Kenny Breidinger, MFWP; Susan Hulslander, CPA; Don Brummel; Jeff Larsen; John & Angie McCrorie; Lew & Larel Weaver; Teri Beatty; BJ Arentz; Luke Carlson, CFAC.

### **MINUTES**

Mark Siderius made a motion "to approve the minutes of the 11/27/2017, business meeting as presented." Verdell Jackson seconded. Motion carried unanimously.

### **CORRESPONDENCE**

1. Email: December 2017 issue of Flathead Audubon's newsletter *Pileated Post* <http://www.flatheadaudubon.org>
2. Email: NACD weekly news briefs *The NACD eResource, Forestry Notes and Conservation Clip List* <http://www.nacdnet.org>
3. Email: MT Watershed Coordination Council November 30, 2017 issue of *Watershed News* <http://mtwatersheds.org>
4. Email: Whitefish Planning Board meeting agenda for December 1, 2017. <http://www.cityofwhitefish.org>
5. Email: December issue of Custer County CD newsletter *Conservation Update* <https://www.custercountyconservationdistrict.org>
6. Email: Soil & Water Conservation Districts of Montana (SWCDM) December 7, 2017 issue of *The Montana Conservationist* <http://swcdm.org>
7. Email: The Montana Water Summit, March 6-7, 2018, Radisson Colonial Hotel, Helena. Contact DNRC Water Planners Sara Meloy 406-444-4247 [smeloy@mt.gov](mailto:smeloy@mt.gov) or Ann Schwend 406-444-1806 [aschwend@mt.gov](mailto:aschwend@mt.gov). For further information



<http://dnrc.mt.gov/divisions/water/management/traiing-education/2018-montana-water-summit>

8. Email: 310-Committee meeting, December 20, Helena. Contact Bob Flesher, DNRC [bflesher@mt.gov](mailto:bflesher@mt.gov) 406-444-4340
9. Notice: NW Agricultural Research Center 2018 Crop Production Update, January 9, 2018, 9:00 A.M. – 3:30 P.M., Hilton Garden Inn, Kalispell. To register/information contact 406-755-4303.

### **FINANCIAL**

The following bills were reviewed:

1. Byte Savvy \$45.00
2. Daily Interlake \$14.31
3. Flathead Beacon \$264.00
4. Mountain States Leasing – Kalispell \$1545.56

John Ellis made a motion “to approve the bills as presented.” Mark Siderius seconded. Motion carried unanimously.

### **PUBLIC COMMENT PERIOD**

No one was present to comment on items not on the agenda.

**Engagement Letter & Annual Financial Report:** Susan Hulslander, CPA, presented the Annual Financial Report ending June 30, 2017, and noted that it would be sent electronically. John Ellis made a motion “to approve the Chairman signing the CPA Engagement Letter.” Dean Sirucek seconded. Motion carried unanimously.

### **310**

**Beatty**, FL2017035, Flathead River, bank stabilization/irrigation channel, dock: The landowner submitted new designs at the meeting. Dean Sirucek & Kenny Breidinger agreed that time is needed to review the design. Dean Sirucek made a motion “to table until the next 310-meeting.” Pete Woll seconded. Motion carried unanimously.

**Boyd**, FL2017053C, Nine Mile Creek, complaint: An on-site inspection was set for Wednesday, December 20, 9:30 A.M. at the site.

**Brummell**, FL2017040C, Whitefish River, complaint: An on-site inspection was set for Thursday, December 21, 3:00 P.M. at the site.



**CFAC**, FL2017052, Flathead River, permit modification request: Ronald Buentemeier explained the contractor suggested changes in the location of the piling and building of the rock wall, and that he didn't see a problem with the modifications. Kenny Breidinger agreed with the modifications.

Ronald Buentemeier made a motion "to approve the discussion that followed in the letter from Mr. Steve Wright dated 12/8/17 regarding the changes in the way the work will be carried out on permit #FL2017052." Dean Sirucek seconded. Motion carried unanimously.

**Grillo**, FL2017058, Swan River, bank stabilization: Pete Woll explained that a dam to create a fish pond with a stream outflow was permitted about 25 years ago. The logs have rotted, water is coming through and the landowner wants to replace the logs with rock. The head gate also needs to be replaced. The landowner submitted more detailed drawings as requested.

Pete Woll made a motion "to approve the application with modifications per the drawings submitted 12/1/2017 and per Pete Woll's and Leo Rosenthal's team member reports." John Ellis seconded. Motion carried unanimously.

**McCrorie**, FL2017056, Flathead River, bank stabilization: Discussion held regarding:

1. Location and length of rip rap
2. Effects on downstream water velocity
3. Removal of cars in bank with highly erodible fine sands, exposed cars
4. Power lines
5. Keying in the rip rap
6. How any changes to the design may affect the processes of other permitting agencies
7. A technical review of the project. NOTE: DNRC no longer has funds to help districts do technical reviews.

The applicants' engineer, Jeff Larsen, said ACOE requires mitigation if a landowner rip raps over 300' of bank. He and the landowners worked together to identify the most critical area to stabilize, which is approximately 200' from the house. The landowners stated they cannot afford to mitigate and they cannot put the rock anywhere else. They have also met with BPA regarding the power lines, which were relocated several years ago due to erosion. Larsen showed the board the engineering plans and cross sections. He stated the rip rap will slow water velocity down, and noted the design is based on all the rules and regulations of each permitting agency.

Dean Sirucek noted that diverse vegetation such as chokecherries and hawthorn have deeper root systems that would help hold the bank. Larsen agreed and stated that it should not affect the ACOE permit. The landowners supported planting vegetation along the bank.

Dean Sirucek made a motion "to approve the application with modifications #1 & #3 listed in Dean Sirucek's and Kenny Breidinger's team member reports." Verdell Jackson seconded.



Motion carried unanimously. An additional letter will be sent to the landowners stating that this structure may only be a temporary fix.

**Peura**, FL2017054C, Whale Creek, complaint: An on-site inspection was set for Friday, December 22, 2017, 10:30 A.M. at the site.

**Pheifer Trust**, FL2017057C, Nine Mile Creek, complaint: An on-site inspection was set for Wednesday, December 20, 9:30 A.M. at the site.

**Smith**, FL2017062, Flathead River, road construction: An on-site inspection was set for Friday, December 15, 9:20 A.M. at the site.

**NOTE:** Per the applicants request the on-site is cancelled. This will be revisited in March.

**Stalow**y, FL2016050, Bear Creek, litigation: No action.

**Tait**, FL2017063, Lazy Creek, dredging/fill: An on-site inspection was set for Wednesday, December 20, 11:30 A.M. at the site.

**Walters**, FL2017025, Flathead River, arbitration: Valerie Kurth stated that the arbitration hearing is this Thursday at noon and is open to the public.

**Weaver Entities**, FL2017059, Flathead River tributary, discharge outfall: Pete Woll explained the application is for two 4" discharge pipes that run from the bottling plant to the tributary. Both pipes run underground and both have a backflow so that water will not come back up the pipe. One of the pipes discharges rinse water from the bottling facility and the other is from the geothermal heating unit. The temperature of the geothermal discharge water will be 45°- 47°. The area will be revegetated. Lew Weaver stated the pipes are 800' feet from Flathead River, and discharge has already been approved by DEQ.

Pete Woll made a motion "to approve the application as submitted." Verdell Jackson seconded. Motion carried unanimously.

Pete Woll made a motion "to waive the 15-day waiting period with concurrence from FWP." Verdell Jackson seconded. Motion carried unanimously.

**Weaver Entities**, FL2017060, Flathead River, bank stabilization: Pete Woll explained the project is on the bend where Mr. Weaver has worked on stabilization for many years. Some sections of rip rap from previous years have settled into the deep water, so this project is maintenance or a repair of what is already there. Mr. Weaver requested a modification to allow him to stockpile some of the rip rap in the area of the bank so he won't have to move it twice.

Pete Woll made a motion "to approve the application with modifications per Pete Woll's and Kenny Breidinger's team member reports. The modification will be to stockpile the riprap at the site." Verdell Jackson seconded. Motion carried unanimously.



**Heine**, FL2017064, Unnamed, debris removal from pond: An on-site inspection was set for Wednesday, January 3, 2018, 9:15 A.M. at the site.

### **NEW BUSINESS**

**Team Member Reports (TMR) & Meeting Minutes:** Valerie Kurth explained that she has:

1. Reformatted the Team Member Report to include an area for team members to acknowledge or waive participation in the recommendation/field visit. It also includes excerpts from the law giving definition of "Team", and an explanation of the procedure for considering projects on the back sheet. Use of the Team Member Report will begin in January.
2. Updated the "Permit Process Summary," which is part of the application.

Ronald Buentemeier asked Valerie to find out if all team members were required to sign the same Team Member Report, or if they could each submit a report. Mark Siderius asked Valerie to contact Don MacIntyre to ask if the applicant signature indicated either approval or acknowledgement of the team inspection. John Ellis noted some clarifications were needed on the Permit Process Summary.

Supervisors were given copies of a sheet titled 310 Motions – Guidance for Supervisors to assist them in making motions during meetings.

Valerie stated she had contacted Caitlin Overland, Flathead County Attorney's office, regarding more detail in meeting minutes. Caitlin approved. Valerie noted that future meetings will be recorded.

**Trumbull Creek Grant #RPG-18-0538:** Valerie Kurth reported that the district has received the grant agreement for an assessment of the lower reach of Trumbull Creek. The next step is to send out a solicitation for a consultant. The grant is for \$15,000, however the last report cost \$25,000. Valerie explained that she had contacted Glacier Park International Airport to see if they would be able to contribute, but she had not heard back. Valerie requested that Flathead CD contribute \$5000-\$10,000. Valerie asked supervisors to review the draft solicitation, and contact her with any questions.

John Ellis voiced concern about the availability of FCD funds compared with the lack of state funds for 310 technical reviews. Valerie said the planning grant will hopefully lead into a construction grant to ultimately put money into on-the-ground projects. Other supervisors explained that this grant was for a segment of the creek that would link a stretch that the district had recently worked on with another stretch that was already rehabilitated. It is a complicated project that involves multiple ownerships.

Dean Sirucek made a motion "to go forward with solicitation #FCD-2017-01 for a consultant for the Trumbull Creek assessment with a maximum contract cost not to exceed \$25,000. \$10,000.00 will come from the FCD Watershed Other budget line." Pete Woll seconded. Motion carried unanimously.



**Advertising Contract:** Valerie Kurth explained that the 2018 advertising contract is the same as the 2017 contract.

Mark Sideirus made a motion “to approve the advertising contract with Flathead Beacon in the amount of \$6,336.00.” Dean Sirucek seconded. Motion carried unanimously.

**District Credit Card Updates:** Valerie Kurth explained that Cynthia Ingelfinger’s name would need to be removed from the credit card, and funds reallocated. John Ellis made a motion “to remove Cynthia Ingelfinger from the district credit card, approve the reallocation of funds on the credit card, and authorize \$7000.00 reallocation for Valerie Kurth.” Dean Sirucek seconded. Motion carried unanimously.

**Hiring:** Supervisors reviewed the draft job announcement for the Assistant Conservationist position, a potential timeline, and list of advertising outlets. Valerie Kurth stated that the ad is similar to the last time we filled this position, and that Cynthia Ingelfinger and Lori Curtis had reviewed the ad and initial hiring process.

Mark Siderius made a motion “to approve the hiring announcement & timeline.” John Ellis seconded. Motion carried unanimously. The deadline for applying is January 19, 2018.

#### **MATTERS OF THE BOARD/STAFF**

- Stream Gage Workshop, January 31 –February 1 at FWP
- 2018 Payroll Calendars
- 310 Committee Meeting, December 20, Helena

The next 310-Stream Permit meeting is scheduled for Monday, January 8, 2018, 7:00 P.M. in the conference room of the USDA building at 133 Interstate Lane, Kalispell.

Adjournment: Dean Sirucek made a motion “to adjourn.” Verdell Jackson seconded. Motion carried unanimously. As there was no further business, the meeting was adjourned at 10:02 P.M.

Submitted By: Ginger Kauffman, Administrator

Minutes approved by FCD Board motion made on:

<u>1/8/2018</u>	<u>Ronald Buentemeier</u>	<u>Chair</u>
(Date)	(Signature)	(Title - Chair etc.)

